

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL E. MONE,

Plaintiff

v.

DEPARTMENT OF THE NAVY,

Defendant

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CIVIL ACTION NO. 04-CV-11009-GAO

FILED
2004 AUG -9 P 1:13
U.S. DISTRICT COURT
DISTRICT OF MASS

PLAINTIFF'S AFFIDAVIT OF COMPLIANCE
UNDER FED. R. CIV. P. 4(i) and LOCAL RULE 4.1

Pursuant to Local Rule 4.1, I, Kathryn E. Hand, attorney for the Plaintiff in the above matter, make oath and depose as follows:

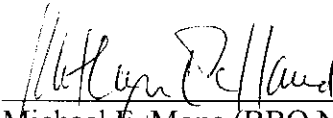
1. That service of process on the Defendant, Department of Navy, was made in compliance with Fed. R. Civ. P. 4 (i).

2. On June 29, 2004, I gave notice to said Defendant by mailing, postage prepaid, certified mail, return receipt requested, a true copy of the Plaintiff's Complaint and Summons, addressed as follows:

Hon. Alberto J. Mora
General Counsel for the Department of the Navy
1000 Navy Pentagon
Washington, DC 20350-1000

3. Attached to this Affidavit is a copy of the Summons, a copy of the letter sent to said Defendant, and the signed return receipt dated July 8, 2004.

This statement is made under the pains and penalties of perjury this 9th day of August, 2004.


Michael E. Mone (BBO No. 351680)
Kathryn E. Hand (BBO No. 567197)
ESDAILE, BARRETT & ESDAILE
75 Federal Street
Boston, Massachusetts 02110
(617) 482-0333

UNITED STATES DISTRICT COURT

District of Massachusetts

Michael E. Mone
Plaintiff,

V.

Department of the Navy
Defendant.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

04cv11009 GAO

TO: (Name and address of Defendant)

Honorable Alberto J. Mora
General Counsel of the Department of the Navy
1000 Navy Pentagon
Washington, D.C. 20350-1000

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael E. Mone
Esdaile, Barrett & Esdaile
75 Federal Street
Boston, MA 02110

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



CLERK

(By) DEPUTY CLERK

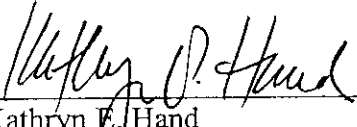
DATE

6-29-04

CERTIFICATE OF SERVICE

I, Kathryn E. Hand, of Esdaile, Barrett & Esdaile, attorney for the plaintiff, hereby certify that I have this day served copies of **Plaintiff Michael E. Mone's Complaint**, by sending same certified mail return receipt to counsel for the defendant as follows:

Hon. Alberto J. Mora
General Counsel for the Department of the Navy
1000 Navy Pentagon
Washington, D.C. 20350-1000



Kathryn E. Hand

Dated: 6/29/04

ESDAILE, BARRETT & ESDAILE

*Counselors at Law
Seventy-five Federal Street
Boston, Massachusetts 02110-1904*

CHARLES W. BARRETT, JR.
JAMES N. ESDAILE, JR.
NORMAN I. JACOBS
MICHAEL E. MONE
PATRICIA L. KELLY
SHAUN SPENCER FORSYTH
RHONDA TRAVER MALONEY
ROBERT J. RUTECKI
STEVEN J. RYAN
C. WILLIAM BARRETT
JON M. JACOBS
KATHRYN E. HAND
SARAH E. O'LEARY
MICHAEL E. MONE, JR.
JOSEPH P. MCGINN
WENDIE E. MURSTEIN

(617) 482-0333
Fax (617) 426-2978

J. NEWTON ESDAILE
(1904-2001)

CHARLES J. MURRAY
OF COUNSEL

June 29, 2004

**CERTIFIED MAIL
RETURN RECEIPT**

Hon. Alberto J. Mora
General Counsel for the Department of the Navy
1000 Navy Pentagon
Washington, D.C. 20350-1000

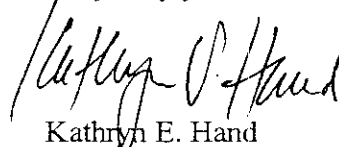
**Re: Michael E. Mone vs. Department of the Navy
United States District Court, Case No.: 04-11009GAO**

Dear Mr. Mora:

Please be advised that the above-captioned case has been commenced against the Department of the Navy. Enclosed herewith is a copy of the Summons and Complaint.

Service of this Summons and Complaint is being made upon you pursuant to Rule 4(i) of the Federal Rules of Civil Procedure.


Very truly yours,



Kathryn E. Hand

KEH/law
Enclosures

cc: Civil Process Clerk, Attorney General of the United States w/o enclosures
Civil Process Clerk, United States Attorney w/o enclosures
Barbara Healey Smith, Assistant U.S. Attorney

2. Article Number		COMPLETE THIS SECTION ON DELIVERY	
		A. Received by (Please Print Clearly)	B. Date of Delivery
		C. Signature	JUL 8 2004
		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7160 3901 9842 7395 2840		DEPARTMENT OF THE NAVY OFFICE OF THE GENERAL COUNSEL WASHINGTON, D.C. 20350	
3. Service Type CERTIFIED MAIL			
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes			
1. Article Addressed to:			
General Counsel for the Department of the Navy 1600 Navy Pentagon Washington, D.C. 20350-1600		ATTENTION: E. Hand 1600 Navy Pentagon Washington, D.C. 20350-1600	
PS Form 3811, January 2003		Domestic Return Receipt	